

DETAILED ACTION

Drawings

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the numbering in Fig 3 is not clear and furthermore in Fig 1 it is not clear as to what objects the arrows are pointing to. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 12 is rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Ogawa et al. US Patent 6,628,245 (hereafter referenced as Ogawa).

Regarding claim 12 where it is disclosed by Ogawa to have, “an operating and display unit for switching devices in a motor vehicle comprising [Fig 4 & 5]: at least one operating element [Fig 4 & 5]; a symbol display field associated with each of said at least one operating element [Fig 1 & 3] wherein the symbol display field is arranged in a fixed manner at a geometrically determined point in relation to said at least one

operating element [Fig 1, 3 & 6A-D] for displaying a symbol which is assigned to a device to be switched, wherein said symbol display field is embodied using black panel technology [Fig 1, 3 & 6A-D]. If however applicant finds that the device does not have a backlit for the symbols it would have been obvious to one of ordinary skill in the art at the time of invention to modify Ogawa to allow for the device button to show no image when not in use to be energy efficient and prevent premature damage to the display of the switched.

Regarding claim 13 where it is disclosed by Ogawa to have, “the symbol display field is backlit by at least one of search lighting and functional lighting.” This is disclosed by Ogawa in Figs 1, 3 and 6A-D, where it can be seen that the devices back lit allows for searching light for finding the correct switch and furthermore allow for the display light to be functional and help the user use the display and multifunctional switch to control the interior controls of a vehicle.

Regarding claim 15 where it is disclosed by Ogawa in Fig 11 to have, “at least one symbol of the symbol display field can be recognized or is displayed even in the state when there is no backlighting.”

Regarding claim 16 where in Figs 3 & 7A-C it can be seen how Ogawa discloses, “a plurality of symbols can be displayed simultaneously or successively in the symbol display field.”

Regarding claim 17 where it is disclosed by Ogawa in Fig 1 to have, “each of the at least one operating element is embodied without symbols.”

Regarding claim 18 where it is disclosed by Ogawa in Fig 1 to have, “the symbols are each displayed at a point which is the same geometrically or at points which are arranged offset with respect to each another within the symbol display field.”

Regarding claim 19 where it is described by Ogawa in Figs 4 & 5 to have their system, “the at least one operating element is formed by a pushbutton key which is provided with a structure for improving the haptics.”

Regarding claim 20 where in Figs 1, 4 & 5 it is disclosed by Ogawa to have, “a projected touch face of the pushbutton key is at least a quarter smaller than a projected face of the symbol display field.”

Regarding claim 21 where it is disclosed in Fig 1 of Ogawa disclosure to have, “each operating element is assigned a symbol display field the symbol display fields being arranged in series and the transition between symbol display fields which are arranged adjacent to one another is virtually invisible to the user due to an effect of the black panel.”

Regarding claim 22 where it is disclosed by Ogawa in column 5 lines 25 - 67 & column 6 lines 1 - 65, how their system can, “a switch-over device for optionally allocating to the at least one operating element a function which is assigned to a specific device, the function being selectable from a number of functions of a plurality of devices, wherein the symbol which is assigned to the function which is determined by the selection of the allocation of the operating element is displayed in the symbol display field.”

Regarding claim 23 where it is disclosed by Ogawa in column 6 lines 60 – 65 to have, “said pushbutton key is a rocker key.”

Regarding claim 24 where in Figs 1, 4 & 5 it is disclosed by Ogawa to have, “said projected touch face is more than one half smaller than the projected face of the symbol display field.”

Regarding claim 26 where in Fig 3 of Ogawa disclosure it shows, “at least one symbol of the symbol display field can be recognized or is displayed even in the state when there is no backlighting.”

Regarding claim 27 where in Figs 3 & 7A-C of Ogawa disclosure it shows, “a plurality of symbols can be displayed simultaneously or successively in the symbol display field.”

Regarding claims 28 - 29 where it is disclosed by Ogawa in Figs 3 & 7A-C to have, “a plurality of symbols can be displayed simultaneously or successively in the symbol display field.”

Regarding claims 30 – 31 it is disclosed by Ogawa in Fig 3 to have, “each of the at least one operating element is embodied without symbols.”

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 14 & 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa in further view of Weindorf et al. US Patent 6,388.388 B1 (hereafter referenced as Weindorf).

Regarding claim 14 & 25 where all the limitations of claims 12 & 13 respectively are disclosed by Ogawa, whom does not specifically disclose the limitation of, "the symbol display field has a uniformly dark appearance in a state when there is no backlighting." This is disclosed by Weindorf in Fig 6 box 652 where it can render the display black and hence give the appearance of the display being black. Thus it would have been obvious to one of ordinary skill in the art at the time of invention to modify Ogawa by Weindorf to have the buttons light switch off to prevent premature failure and also save power.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BHAVESH V. AMIN whose telephone number is (571)270-3255. The examiner can normally be reached on M - T, Friday off, 7:30am to 6:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3664

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. V. A./

Examiner, Art Unit 3664

/KHOI TRAN/

Supervisory Patent Examiner, Art Unit 3664